

PATENT
U.S. Patent Application No. **09/751,059**
Attorney Docket No. **UM-04491**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Baker Jr.**
Serial No.: **09/751,059** Group No.: **1615**
Filed: **12/29/2000** Examiner: **B. Fubara**
Entitled: **Nanoemulsions**

**TERMINAL DISCLAIMER TO OBVIATE A
PROVISIONAL DOUBLE PATENTING REJECTION OVER
A PRIOR PATENT OR PENDING APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)(1)(i)(A)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **September 14, 2004**.

By: _____

Mary Ellen Waite

DISCLAIM SEVERAL PATENTS

Dear Examiner:

I, David Casimir, represent that I am an attorney of record for this invention. The Assignee, The Regents of the University of Michigan, a Michigan corporation, 3003 South State Street, Ann Arbor, MI 48109 is the owner of one-hundred percent (100%) interest in the instant application. **The Assignment from the inventors was recorded in the Patent and Trademark Office at Reel 011669, Frame 0807. The Assignment recordation date was 04/09/01.**

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of: pending U.S. Patent Application No. 10/162,970, filed on June 5, 2002; issued U.S. Patent No. 6,503,803, filed on April 28, 2000; issued U.S. Patent No.

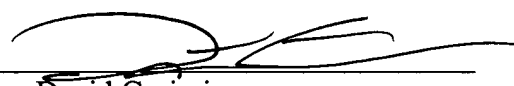
6,559,189, filed June 25, 2001; and issued U.S. Patent No. 6,635,676, filed September 27, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that the legal title to said patent be the same as the legal title to the above referenced patents and patent application, this agreement to run with any patent granted on the above-identified instant application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, in the event that U.S. Patent Application No 10/162,970, U.S. Patent No. 6,503,803, U.S. Patent No. 6,559,189, and U.S. Patent No. 6,635,676 should expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory terms.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is empowered to act on behalf of the assignee.

Dated: September 14, 2004



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